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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,995	10/19/2001	Ryuichi Ohmura	107858	7090

7590 01/28/2003
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EXAMINER

LOFDAHL, JORDAN M

ART UNIT PAPER NUMBER

3644

DATE MAILED: 01/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,995

Applicant(s)

OHMURA, RYUICHI

Examiner

Jordan M Lofdahl

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 13 December 2002.

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-5 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-5 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamato (5222319) and further in view of Gieselman (4654996).

As to claim 1, Yamato discloses an oblong pipe-shaped body (fig. 1); a reel foot (1, fig. 1 shows a reel with a foot); a reel foot placing surface (6); a movable front hood (F) and a fixed rear hood (R); and a trigger (2) protruding from the lower portion of the surface at a fixed position and angle, the trigger having a front surface, wherein the center of axis of the trigger is non-perpendicular with respect to a center of axis of the fishing rod body. Not disclosed is the trigger sloping substantially toward the downward and backward direction relative to a rear end of the lower portion of the circumferential surface of the body and having a length such that at least two of an average adult sized users fingers can be placed thereon. Gieselman, however, discloses a trigger (46) sloping substantially toward the downward and backward direction relative to a rear end of the lower portion of the circumferential surface of the body and having a length such that at least two of an average adult sized users fingers can be placed thereon (figs. 1

and 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to comprise the device of Yamato with the trigger of Gieselman to give the user better control of the rod by the placement of more than one finger on the trigger.

As to claim 2, disclosed is a device, as modified wherein the inclination angle of the front surface of the trigger with respect to a direction perpendicular to a center of axis of the fishing rod body, is in a range of about 25 to about 55 degrees ('996, fig. 4).

As to claim 3, disclosed is a top portion of an area of the front surface of the trigger on which a user's finger can be placed is positioned behind a portion immediately below the highest position of an opening portion of the fixed rear hood.

As to claim 4, disclosed is a protrusion from the tip of the front surface of the trigger which is capable of sliding prevention.

As to claim 5, Yamato discloses a fishing rod body extending in a downward and backward direction (fig. 1); a reel seat; a handle that extends backward from a position of the reel seat; and a trigger protruding from a position opposite to a reel foot placing surface at a fixed position and angle, the trigger having a front surface, the trigger sloping substantially downward, wherein a center of axis of the trigger is non-perpendicular with respect to a center axis of the fishing body. Not disclosed is the

trigger sloping backward relative to a rear end of a lower portion of the reel seat and having a length such that at least two fingers can be placed thereon. Gielselman, however, discloses a trigger sloping backward relative to a rear end of a lower portion of the reel seat and having a length such that at least two fingers can be placed thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to comprise the device of Yamato with the trigger of Gieselman to give the user better control of the rod by the placement of more than one finger on the trigger.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hanson (980942), Williams (2084931); Loutrel (2283816), Lasky (2965995), Simone (3181264), Vance (4209931) and McGee (4793087) all disclose related devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan M Lofdahl whose telephone number is 703.605.1217. The examiner can normally be reached on 7-5 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles T Jordan can be reached on 703.306.4159. The fax phone numbers for the organization where this application or proceeding is assigned are 703.305.7687 for regular communications and 703.305.7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

703.306.4180.

jml

January 23, 2003



Charles T. Jordan

CHARLES T. JORDAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600